

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

THOMAS R. SNELLING,

Plaintiff,

Case No. 1:09-cv-340

v.

HON. JANET T. NEFF

CHRYSTAL CHAPIN, et al.,

Defendants.

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**OPINION**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. The matter is presently before the Court on Plaintiff's objections to the Magistrate Judge's Order denying appointment of counsel. In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(a), the Court must review the portions of the Order to which objections have been made and set aside or modify any portion of the Order that is clearly erroneous or contrary to law. Having done so, the Court denies the objections and issues this Opinion and Order pursuant to FED. R. CIV. P. 72(a).

Plaintiff argues that the Magistrate Judge erred in misquoting the applicable statute, substituting the word "employ" for the word "afford." Plaintiff also objects to the fact that the Magistrate Judge did not fully analyze how the cited case law applies to his facts. However, neither of these objections is grounds for setting aside the Order as clearly erroneous or contrary to law. The Magistrate Judge properly cited the applicable law and applied it to Plaintiff's motion. Therefore, Plaintiff's objections are denied.

For these reasons and because this action was filed *in forma pauperis*, this Court also certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Opinion and Order would not be taken in good faith. *See McGore v. Wigglesworth*, 114 F.3d 601, 610 (6th Cir. 1997).

An Order will be entered consistent with this Opinion.

Dated: November 5, 2009

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge